

BEFORE THE EVIDENTIARY PANEL OF THE STATE BAR DISTRICT NO. 4C06 GRIEVANCE COMMITTEE		
	§	
COMMISSION FOR LAWYER DISCIPLINE,	§	H0010621792 [CHARLOTTE WALL]
	§	
Petitioner,	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
DON LEWIS,	§	
	§	
Respondent.	§	

**AGREED JUDGMENT OF PUBLIC REPRIMAND**

On the 24<sup>th</sup> day of April, 2007, came to be heard the above-entitled and numbered disciplinary proceeding. Petitioner, the **COMMISSION FOR LAWYER DISCIPLINE**, by and through its attorney of record, J. G. Molleston, Regional Counsel, Office of the Chief Disciplinary Counsel, STATE BAR OF TEXAS, and Respondent, **DON LEWIS** (hereinafter referred to as "Respondent"), Texas Bar Number **12275235**, *Pro se*, announced to the Evidentiary Panel that the parties agree and stipulate that judgment should be entered in this case as set forth in this *Agreed Judgment of Public Reprimand*. The Evidentiary Panel, after considering the pleadings on file in this disciplinary proceeding, is of the opinion that the agreement of the parties is just and equitable, and that final judgment should be entered in accordance thereof and as set forth herein.

Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS. Respondent's principal place of practice is Harris County, Texas. Therefore, this Evidentiary Panel has jurisdiction over the parties and subject matter of this case, and venue is appropriate in Harris County, Texas.

The Evidentiary Panel finds and concludes, as stipulated by the parties, that Respondent has committed professional misconduct as defined by Rule 1.06V of the TEXAS RULES OF DISCIPLINARY PROCEDURE and should be reprimanded. Respondent consents to the rendition and entry of this *Agreed Judgment of Public Reprimand*.

### **I. FINDINGS OF FACT**

The Evidentiary Panel, having considered all of the evidence submitted, enters the following agreed findings of fact in support of this *Agreed Judgment of Public Reprimand*:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS.
2. Respondent's principal place of practice is Houston, Harris County, Texas.
3. The Chief Disciplinary Counsel of the STATE BAR OF TEXAS has incurred reasonable attorneys' fees and direct expenses associated with the proceedings of this matter, which should be paid by Respondent.
4. On January 14, 2002, Charlotte Wall ("Complainant") hired Don Lewis ("Respondent") to represent her in a business lease dispute.
5. On or about June 17, 2002, Respondent received a notice setting the Complainant's case for trial on July 2, 2002. Respondent failed to attend the trial setting on behalf of his client.
6. Due to Respondent's failure to attend court on her behalf, a default judgment was rendered on July 2, 2002 against the Complainant.

### **II. CONCLUSIONS OF LAW**

It is agreed that the foregoing findings of fact support a violation of Rule **1.01(a)(1); 1.01(b)(1); 1.01(c); 1.03(a); and 1.03(b);**) of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL

CONDUCT, Article X, Section 9, STATE BAR RULES.

### **III. SANCTION**

**IT IS AGREED AND THEREFORE ORDERED** in accordance with the factors set forth in Rule 2.18 of the TEXAS RULES OF DISCIPLINARY PROCEDURE that the proper discipline of Respondent for each act of professional misconduct as found in this case is a public reprimand.

**IT IS AGREED AND THEREFORE ORDERED** that Respondent shall pay **restitution to Charlotte Wall in the amount of Nine Hundred Dollars (\$900.00). All restitution payments shall be made by money order, certified check, or cashier's check; made payable to Charlotte Wall; and delivered to the STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002, for forwarding to Complainant. Respondent shall pay all restitution contemporaneously with the signing of this *Judgment*.**

**IT IS AGREED AND THEREFORE ORDERED** that Respondent pay reasonable and necessary attorneys' fees and costs in the amount of Five Hundred and 00/100 Dollars (\$500.00). All payments are to be remitted to the STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002, by money order, certified check, or cashier's check. Respondent shall pay all attorneys' fees and costs contemporaneously with the signing of this *Judgment*.

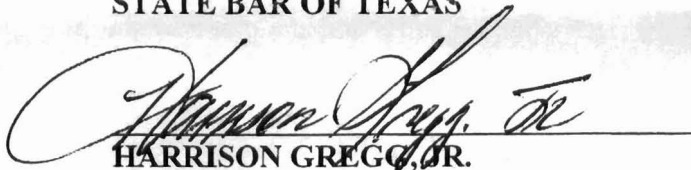
**IT IS AGREED AND THEREFORE ORDERED** that this reprimand shall be made a matter of public record and shall be appropriately recorded in accordance with the TEXAS RULES OF DISCIPLINARY PROCEDURE.

By the signatures of Respondent and all counsel of record, it is shown that this *Agreed Judgment of Public Reprimand* is agreed to by the parties pursuant to Rule 11 of the TEXAS RULES OF CIVIL PROCEDURE, both as to form and substance.

All relief not expressly granted in this *Agreed Judgment of Public Reprimand* is **DENIED**.

SIGNED this 24<sup>th</sup> day of April, 2007.

EVIDENTIARY PANEL  
DISTRICT 4C GRIEVANCE COMMITTEE  
STATE BAR OF TEXAS

  
HARRISON GREGG, JR.  
Chairperson



**AGREED AS TO BOTH  
FORM AND SUBSTANCE:**

**STATE BAR OF TEXAS**

*Office of the Chief Disciplinary Counsel*

**JOHN A. NEAL**  
Chief Disciplinary Counsel



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**J. G. MOLLESTON**

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Houston, Texas 77002  
Phone: (713) 758-8200  
Fax: (713) 758-8292

**ATTORNEYS FOR PETITIONER,  
COMMISSION FOR LAWYER DISCIPLINE**

**AGREED AS TO BOTH  
FORM AND SUBSTANCE:**



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**DON LEWIS**



**PRO SE**  
State Bar No. 12275235  
1717 St. James Place, Suite 625  
Houston, TX 77056  
Phone: (713) 622-0318  
Fax: (713) 622-0328

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